

TO: RBAW Board

FROM: Doug Levy – 3/31/2021

RE: Report from State Lobbyist – **MARCH 2021**

In March, the state's fortunes were buoyed by both a revenue forecast showing a significant rebound in the Washington economy, and an infusion of federal funding through the "American Rescue Plan Act of 2021." This put the state's Operating Budget in a place where the horrendous post-pandemic deficits of 2020 were wiped away and the Legislature was instead in a position to balance its budget and offer significant assistance to disadvantaged economic sectors.

At the same time, the list of bills before the Legislature narrowed with cutoff deadlines – the last big one being a fiscal committee cutoff of Friday, April 2. We at RBAW are in a position where Operating and Capital Budgets came out well for us, there are no damaging bills to report on, and priority projects such as Lakebay Marina are well-positioned heading into the homestretch of the 2021 Session.

Here's my monthly report on specific items covering the month of March:

Budgets: The Senate and House have each passed their Operating Budgets out of Committee, while the Senate has passed its Capital Budget off the Floor and the House will do the same by week's end. Here are key components of the Operating (**SSB 5092/SHB 1094**) and Capital (**SSB 5083/SHB 1080**) budgets from a recreational boating perspective:

- **Boating Facilities Program (BFP) – Lakebay Marina:** Both Capital budgets include \$14.95 million for the BFP, which would ensure \$1.776 million in funding for the Lakebay Marina acquisition and planning grant submitted by the Department of Natural Resources (DNR) and our RBAW Marine Parks Conservancy. As a reminder, the Lakebay Marina was the top-ranked project among all state agency projects submitted for funds!
- **Boating Infrastructure Grants (BIG):** Both Capital Budgets include \$2.2 million in federal pass-through funding for Boating Infrastructure Grants (BIG) administered by the Recreation and Conservation Office (RCO).
- **Boating Safety:** \$4 million for the Washington State Parks boating safety program is in both Operating Budgets.
- **Aquatic Invasive Species (AIS) prevention:** The Washington Department of Fish and Wildlife (WDFW) will be receiving new funding to reduce the threat of aquatic invasive species – the only question is how much. The Senate's Operating Budget provides a more significant amount - \$5.125 million. The House Operating Budget provides WDFW \$2.824 million toward this effort.
- **Derelict Vessel Removal – Catch up on Backlog:** Both the Senate and House Capital Budget include funding to help DNR catch up on a backlog of derelict vessels that need to be removed from the state's waterways. The Senate's Capital Budget provides \$3.5 million, while the House version provides \$3 million.
- **Federal pass-through funds for vessel pump-outs:** Both Capital Budgets include \$2.6 million in pass-through federal funding for vessel pump-outs under the Clean Vessel Act.

- **Department of Ecology study and review of alternatives to copper-bottomed paints:** Both Operating Budgets include \$377,000 for Ecology to complete this work with a stakeholder group that includes Northwest Marine Trade Association (NMTA).
- **Capitol Lake Long-Term Management Planning:** Both Capital Budgets provide the Department of Enterprise Services (DES) with \$715,000 in new appropriations and \$1.82 million in re-appropriated funds to continue the work of planning the future management of Capitol Lake. This is an important item for our Olympia Yacht Club (OYC) folks.
- **Washington Wildlife and Recreation Program (WWRP):** We track and support this program because it includes water access grants within its categories. The House Capital Budget funds WWRP at what would be a historic-high level of \$110 million; the Senate is at \$100 million.
- **No Child Left Inside (NCLI):** This popular program provides grants to non-profits and local governments for designing programs and activities that get kids away from their video-game remote controls and into the outdoors – including our state’s waterways. It is currently funded at \$1.5 million and would go up to \$2 million in the House Operating Budget and all the way to \$6 million in the Senate’s version of the Operating Budget. There are \$7 million worth of grant requests for the latest round of funding, so a final number between the Senate and House marks would be a significant helping hand for this program.
- **Aquatic Lands Enhancement Account (ALEA):** This is probably the one hiccup for us in the respective budgets – the Governor had proposed \$9.1 million in his Capital Budget for this program to protect and enhance waterfront access in communities across the state. That would have funded a complete list of 18 projects. The Senate’s ALEA allocation of \$7.9 million would leave three (3) projects unfunded – the House’s \$6.86 million leaves five (5) unfunded.

Lakebay Marina – See Above: Nothing is final yet, but we at the RBAW Marine Parks Conservancy are now much closer to finalizing a grant that will enable the formal acquisition of Lakebay and then the deeding over of that property to DNR. Exciting!

Montlake Bridge Repair: I want to give special thanks to our Vice President for Administration Andrea Pierantozzi, who has played a lead role in coordinating continuing meetings with the Washington State Department of Transportation (WSDOT) on the upcoming Summer 2021 bridge repair. The latest of those meetings was Monday (March 29). It appears very likely that WSDOT will be able to work with us to keep the customary bridge opening schedule for weekdays and weekends but will only open one “leaf” (one side) of the bridge vs both spans during the August repairs of the Montlake Bridge – and of course during the high point of boating season. If a vessel requires both spans they must schedule an opening 24 hours in advance. Andrea, Board Member Kevin Haistings, Board Member Bob Ranzenbach and others have generously donated their time and attention to working this through with WSDOT – thank you!

Efforts with National Marine Fisheries Service (NMFS) on federal permitting for marina upgrades – federal/ESA lobbying firm brought on board: At this writing, we are scheduling an April meeting where RBAW, NMTA, NMFS and the folks at DNR can review a “conservation calculator” that would be used to determine mitigation requirements for marina upgrade projects. We also expect that Port of Tacoma

officials will join that meeting. It is hoped that the half-day or full-day session can help move all sides toward agreement – but we will see. RBAW President Bob Wise, NMTA VP Peter Schrappen, Logan Brown of the firm Marine Floats, and myself continue to spend considerable time on this one.

Derelict Vessel Removal Program: Aside from the Capital Budget funding I referenced above, we are working with DNR on the development of a longer-term sustainable funding initiative so that money devoted to the DVRP can go from an estimated \$2 million per biennium up to something like \$4-5 million. We have particular ideas about dedicating existing Watercraft Excise Taxes, adding private operators to the Vessel Turn-in Program, establishing vessel recycling centers, and more. I want to particularly thank VP for Government Affairs Steve Finney for coordinating an RBAW Work Group that has also included President Bob Wise, Past Presidents Paul Thorpe and Wayne Gilham, Bob Watson, and others. Appreciate all of you jumping in!

Boating Safety – State Parks Boating Safety Program “Summit” on April 21: As I shared previously on e-mail, the Boating Safety Program Administrator for Washington State Parks (Rob Sendak) is putting together a three-hour-long “Summit” on April 21 to discuss ways to better assure the safety of those using ‘human-powered vessels’ (kayaks, paddleboards, etc.) on the water. I know several of our folks, including Treasurer Loyd Walker, plan to attend, as do I.

SSB 5330 – Commercial Whale Watching Licenses: As a show of support to the Pacific Whale-Watching operators, both RBAW and NMTA had testified on behalf of this bill sponsored by Senate Agriculture, Water, Natural Resources and Parks Chair Kevin Van De Wege (D-Sequim/24th Dist.). The bill would have restructured a recently adopted rule-making by the Washington Department of Fish & Wildlife (WDFW) that, in our view, unfairly restricted the ability of commercial whale-watching operators to safely view Southern Resident Killer Whales (Orcas). **5330** made it as far as the Senate Floor but likely has “died” for the 2021 Session.

SHB 1107, expanding certain nonresident vessel permit provisions: Great news: This bill led by our colleagues at NMTA continues to move, having passed out of the Senate Ways & Means Committee on March 27. The legislation would make it easier for large vessels that are chartered or skippered to obtain non-resident vessel permits. It also increases the length of vessels that can secure these permits – from a maximum of 164 feet to a maximum of 200 feet. Here’s a bill report giving you the latest [1107-S SBR WM OC 21 \(wa.gov\)](https://leg.wa.gov/bills/2021/SHB/1107-SBR-WM-OC-21)
